

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:10cr14-4**

UNITED STATES OF AMERICA,)	
)	
Vs.)	ORDER
)	
HENRY QUEEN LITTLEJOHN.)	
)	

THIS MATTER is before the court on defendant's Motion for Bereavement Release. With the concurrence of the government, the court finds as an exceptional circumstance under 18, United States Code, Section 3145(c), warranting defendant's temporary release, the death of defendant's granddaughter and the need for defendant's presence during a portion of the memorial services for such child as such is part of a religious and cultural practice observed by defendant and the Eastern Band of Cherokee Indians, of which he is an enrolled member.

The parties are in agreement, and the court has approved, defendant's temporary release to the custody of the Chief of Police of the Eastern Band of Cherokee Indians, and his designees, beginning Saturday, January 15, 2011, at 8 a.m., and being returned to the custody of the United States Marshal c/o the Sheriff of Cherokee County, North Carolina, by 9 p.m. on Saturday, January 15, 2011. During such period, the Chief of Police and his designee shall exercise complete professional

discretion in determining the conditions of defendant's release; however, the Chief of Police shall give great deference to the cultural and religious requirements defendant may have during the bereavement process.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion for Bereavement Release (#89) is **GRANTED**, and defendant is released to the custody of the Chief of Police of the Eastern Band of Cherokee Indians as herein provided.

Signed: January 14, 2011

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

